

**BALTIMORE COUNTY COUNCIL  
NOTES TO THE AGENDA  
LEGISLATIVE SESSION 2022**

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*Issued: January 6, 2022  
Work Session: January 11, 2022  
Legislative Day No. 2: January 18, 2022*

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*The accompanying notes are  
compiled from unaudited  
information provided by  
the Administration and  
other sources.*



OFFICE OF THE COUNTY AUDITOR

**BALTIMORE COUNTY COUNCIL**

**January 18, 2022**

**NOTES TO THE AGENDA**

**TABLE OF CONTENTS**

	<b>PAGE</b>
<b>LEGISLATIVE SESSION</b>	
Witnesses .....	ii
<b><u>BILLS – FINAL READING</u></b>	
Bill 105-21 .....	1
Bill 106-21 .....	3
Bill 107-21 .....	6
Bill 108-21 .....	9
Bill 109-21 .....	12
Bill 110-21 .....	15
Bill 111-21 .....	16
Bill 112-21 .....	17
Bill 113-21 .....	18
Bill 114-21 .....	20
<b><u>FISCAL MATTERS</u></b>	
FM-1 .....	21
FM-2 .....	26
FM-3 .....	29
FM-4 .....	32
FM-5 .....	35
FM-6 .....	40
FM-7 .....	45
FM-8 .....	49
FM-9 .....	45
<b><u>MISCELLANEOUS BUSINESS</u></b>	
MB-2 (Res. 2-22) .....	53
<b>APPENDIX</b>	
Correspondence (1) (a) .....	59

**AGENDA  
BALTIMORE COUNTY COUNCIL  
LEGISLATIVE SESSION 2022, LEGISLATIVE DAY NO. 2  
January 18, 2022 6:00 P.M.**

CEB = CURRENT EXPENSE BUDGET  
BY REQ. = AT REQUEST OF COUNTY EXECUTIVE

**Page**

**CALL OF BILLS FOR FINAL READING AND VOTE**

- 1        **SETH BLUMEN, ENERGY & SUSTAINABILITY COORDINATOR, ADMINISTRATIVE OFFICE**  
Bill 105-21 – Mr. Jones(By Req.) – The Clean Energy Loan Program
- 3        **LEONARD HOWIE, DIRECTOR, DEPARTMENT OF ECONOMIC & WORKFORCE DEVELOPMENT**  
Bill 106-21 – Mr. Jones(By Req.) – CEB – Cities for Financial Empowerment (CFE) Fund – Implementation
- 6        **DAVID BYCOFFE, DEPUTY CHIEF, DIRECTOR, OFFICE OF HOMELAND SECURITY & EMERGENCY  
MANAGEMENT, FIRE DEPARTMENT**  
Bill 107-21 – Mr. Jones(By Req.) – CEB – Emergency Management Performance Grant – American  
Rescue Plan Act
- 9        **LAWRENCE RICHARDSON, DEPUTY DIRECTOR, F&A, DEPARTMENT HEALTH & HUMAN SERVICES**  
Bill 108-21 – Mr. Jones(By Req.) – CEB – Immunization and Vaccines for Children  
12       Bill 109-21 – Mr. Jones(By Req.) – CEB – COVID-19 Public Health Workforce Supplemental Funding
- 15       **COUNCIL**  
Bill 110-21 – Mrs. Bevins – Zoning Regulations – Signs  
16       Bill 111-21 – Mrs. Bevins – Zoning Regulations – Uses Permitted in the Manufacturing, Light (M.L.) Zone  
17       Bill 112-21 – Mr. Kach – Planned Unit Developments – Extension of Time for State of Emergency  
18       Bill 113-21 – Mr. Marks – Backyard Chickens  
20       Bill 114-21 – Mr. Jones – County Code – Revitalization Property Tax Credit

**APPROVAL OF FISCAL MATTERS/CONTRACTS**

- 21       **SETH BLUMEN, ENERGY & SUSTAINABILITY COORDINATOR, ADMINISTRATIVE OFFICE**  
1. Contract – CEG Solutions, LLC – Reduction of energy consumption/save associated energy-  
maintenance costs-AO
- 26       **DEBRA SHINDLE, PROPERTY MANAGEMENT**  
2. Amendments to Contracts – (2) – Overhead door services – PM
- 29       **TIM SHERIDAN, COURT ADMINISTRATOR, CIRCUIT COURT**  
3. Contract – Project Chesapeake, LLC – Drug testing and treatment services – CC  
32       4. Agreement – Alcohol Monitoring Systems, Inc. – Ankle bracelet monitoring/reporting services – CC
- 35       **TERRY HICKEY, DIRECTOR, DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**  
5. Contract – Bureau Veritas Technical Assessments, LLC – Compliance – ADA/UFAS Design Standards/  
applicable housing accessibility requirements – DHCD
- 40       **MARCIA WILLIAMS, DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**  
6. Contracts – (6) – Housing counseling services – DHCD

**APPROVAL OF FISCAL MATTERS/CONTRACTS (cont.)**

**D'ANDREA WALKER, ACTING DIRECTOR, DEPARTMENT OF PUBLIC WORKS & TRANSPORTATION**

- 45 7. Contract – EBA Engineering, Inc. – On-call potable water pipeline design services – DPWT  
49 8. Contract – DACCO SCI, Inc. – Corrosion control design services – DPWT  
45 9. Contract – KCI Technologies, Inc. – On-call potable water pipeline design services – DPWT  
W/D 10. ~~Contract – Bel Air Auto Auction, Inc. – Auctioning and sale of retired County-owned vehicles/  
equipment DPWT~~

**MISCELLANEOUS BUSINESS**

**COUNCIL**

- 59 1. Correspondence - (a) (4) - Non-Competitive Awards (December 6, 2021)

**STEVE LAFFERTY, DIRECTOR, DEPARTMENT OF PLANNING**

- 53 2. Res. 2-22 – Mr. Jones(By Req.) - Approve County's contribution - purchase of certain development rights easements on property

**Bill 105-21****Council District(s) All**

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**Mr. Jones (By Req.)**

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**Administrative Office**

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**The Clean Energy Loan Program**

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Bill 105-21 amends the County's Clean Energy Loan Program. This program allows property owners to finance certain energy, water, and efficiency improvements through a private lender with no upfront cost to the property owner. In return, the property owner repays the lender through a long-term loan surcharge on their real property tax bill.

In general, the Clean Energy Loan Program is a State-based program, set forth in Title 1, Subtitle 11 of the Local Government Article of the Annotated Code of Maryland. However, this State-based program requires local enabling legislation because of the local tax bill financing component. In 2016, Baltimore County enacted such local enabling legislation with Bill 63-16. The County serves only as a program sponsor to facilitate loan repayment by including the surcharge on the County real property tax bill for the property. The County may not finance nor fund any loan under the program nor incur any liability for a loan.

During its 2021 Session, the Maryland General Assembly amended the State's Clean Energy Loan Program with the passage of H.B. 517, which did the following:

- Expanded the purpose of the program to include providing loans to commercial property owners to finance or refinance certain environmental remediation projects and resiliency projects;
- Added environmental remediation projects, resiliency projects, and water efficiency projects to the list of items that require eligibility requirements under local enabling legislation;
- Clarified that the loan terms and conditions required under local enabling legislation must include a provision that requires that a loan be repaid over a term not to exceed the useful life of the project as determined by the program; and

- Altered the circumstances under which, with the express consent of any holder of a mortgage or deed of trust on a certain property, a county may collect loan payments and other local tax lien provisions.

Bill 105-21 amends the County's existing Clean Energy Loan Program to include the changes enacted by H.B. 517 to the State's program. Specifically, the bill adds water efficiency, environmental remediation, and resiliency projects as eligible and financeable projects in addition to the previously eligible categories of renewable power and energy efficiency. The bill also revises the amount and duration of the loans and makes other minor revisions.

The bill removes certain loan requirements, such as limiting the loan to a maximum of 20 years, 20 percent of the property's value, and a 90 percent overall loan to value maximum. The bill also eliminates the requirement that the cash value must be the value set by SDAT.

The bill also adds two new types of financeable projects. The first is any construction, renovation, or retrofitting of commercial property that is intended to remove environmental or health hazards, including projects that promote indoor air and water quality, asbestos remediation, lead paint removal, and mold remediation. The second new type is any construction, renovation, or retrofitting of commercial property that is intended to increase the capacity of a property to withstand natural disasters and the effects of climate change including flood mitigation, stormwater management, a project to increase fire or wind resistance, a project to increase the capacity of a natural system, an inundation adaptation project, alternative vehicle charging infrastructure, or energy storage.

On December 20, 2021, the Council approved a contract with Maryland Clean Energy Center (MCEC) to develop, promote, and administer the Property Assessed Clean Energy (PACE) Loan Program for owners of County commercial properties. MCEC administers the PACE program at no cost to the County. Any administrative costs incurred by the County (estimated by the Office of Budget and Finance to be minimal) are reimbursable through the surcharges on the borrowers' property tax bills.

Bill 105-21 shall take effect 45 days after its enactment.

**Bill 106-21 (Supplemental Appropriation)****Council District(s) All****Mr. Jones (By Req.)****Department of Economic and Workforce Development****Cities for Financial Empowerment (CFE) Fund — Implementation**

The Administration is requesting a supplemental appropriation of private funds from the Cities for Financial Empowerment Fund, Inc. totaling \$4,000 to the Cities for Financial Empowerment (CFE) Fund - Implementation Gifts and Grants Fund program to increase the amount appropriated to the actual amount of the grant award. The funds will be used toward the salary and benefits of a new part-time (25 hours per week) education coach who will provide financial education to participants in the County's Summer Youth Employment Program. See Exhibit A.

**Fiscal Summary**

<b>Funding Source</b>	<b>Supplemental Appropriation</b>	<b>Current Appropriation</b>	<b>Total Appropriation</b>
<b>County</b>	--	--	--
<b>State</b>	--	--	--
<b>Federal</b>	--	--	--
<b>Other <sup>(1)</sup></b>	\$ 4,000	\$ 75,500	\$ 79,500
<b>Total</b>	<u>\$ 4,000</u>	<u>\$ 75,500</u>	<u>\$ 79,500</u>

<sup>(1)</sup> Cities for Financial Empowerment Fund, Inc. funds. No County matching funds are required.

**Analysis**

On June 7, 2021, the Council approved the current appropriation of \$75,500 to the Cities for Financial Empowerment (CFE) Fund - Implementation Gifts and Grants Fund program with the funds to be used for the salaries and benefits of certain existing Department staff to implement banking literacy training for the County's FY 2022 and FY 2023 Summer Youth Employment

Program (SYEP) participants. The Department had advised that the staff will 1) educate participants about the benefits of banking; 2) open safe non-custodial bank accounts; and 3) educate participants on regularly and safely using their bank accounts.

The Department advised that the current appropriation was based on an April 2021 award estimate provided by CFE; the proposed bill appropriates an additional \$4,000 to the program, increasing the total appropriation to the actual \$79,500 grant award. The Department further advised that the proposed grant funds, together with a portion of the previously appropriated funds, will be used toward the salary and benefits of a new part-time (25 hours per week) education coach; the new position's responsibilities will include assisting youth with enrolling in direct deposit, connecting youth with the credit union to open accounts, and tracking youth progress during their work experiences. The Department expects approximately 400 youth to participate in the SYEP annually and will offer financial education and banking opportunities to all participants. The Department advised that the program may be expanded to offer year-round employment opportunities.

The Department advised that it is collaborating with the CASH (Creating Assets, Savings, and Hope) Campaign of Maryland on this initiative. According to its website, the CASH Campaign promotes economic advancement for low to moderate income individuals by offering direct service programs (e.g., free tax preparation, financial education and coaching) to strengthen participants' economic stability. The Department advised that CFE will provide a grant of \$15,500 to the CASH Campaign of Maryland to assist with this initiative.

On October 5, 2020, the Council approved a supplemental appropriation of \$12,500 to the Cities for Financial Empowerment (CFE) Fund Gifts and Grants Fund program for the County to develop a plan (e.g., identify a strategy for delivering financial education on the benefits of banking, budgeting, and saving, and to identify at least one financial institution partner) to improve the banking literacy of the FY 2022 SYEP participants. The Department had advised that the CFE Fund, Inc. previously provided a \$7,500 grant to the CASH Campaign of Maryland to collaborate with the County on this project.

The grant period is May 2021 to December 2022. No County matching funds are required.

With the affirmative vote of five members of the County Council, Bill 106-21 will take effect February 1, 2022.



## **Executive Summary**

Baltimore County, through its Department of Economic and Workforce Development (DEWD), was awarded \$79,500 in grant funding from Cities for Financial Empowerment (CFE) Fund. The Supplemental Appropriation for \$75,500 of the award amount was passed by the County Council effective June 20, 2021 with Bill 49-21. The purpose of this CARF is to appropriate the additional \$4,000.

DEWD will use the grant funds to support the integration of financial education and banking options into its Summer Youth Employment Program, which may be expanded to a year round employment program. In partnership with Maryland CASH Campaign, the funding will be allocated to staff time and program enhancements. The funding will be used to support three (3) steps for banking access:

- 1) Educate youth about the benefits of banking and how to safely use accounts.
- 2) Open safe non-custodial accounts.
- 3) Educate youth on regularly and safely using their account, which can be facilitated by direct deposit.

Prepared by: Department of Economic and Workforce Development

**Bill 107-21 (Supplemental Appropriation)****Council District(s) All****Mr. Jones (By Req.)****Fire Department****Emergency Management Performance Grant – American Rescue Plan Act**

The Administration is requesting a supplemental appropriation of federal funds totaling \$81,176 to the Emergency Management Performance Grant (EMPG) – American Rescue Plan Act Gifts and Grants Fund program. The Department advised that the funds will be used to maintain and update technology in the County's Emergency Operations Centers and to purchase technology to enable the County's Hazardous Materials Team to effectively respond to bioterrorism events. See Exhibit A.

**Fiscal Summary**

<b>Funding Source</b>	<b>Supplemental Appropriation</b>	<b>Current Appropriation</b>	<b>Total Appropriation</b>
<b>County</b> <sup>(1)</sup>	--	--	--
<b>State</b>	--	--	--
<b>Federal</b> <sup>(2)</sup>	\$ 81,176	--	\$ 81,176
<b>Other</b>	--	--	--
<b>Total</b>	<u>\$ 81,176</u>	<u>--</u>	<u>\$ 81,176</u>

<sup>(1)</sup> The County is required to provide a 100% match (\$81,176) of the grant award, which will be met through the County's payments for its annual phone system service agreements for the County's 911 Center.

<sup>(2)</sup> U.S. Department of Homeland Security – Federal Emergency Management Agency (FEMA) funds passed through the Maryland Department of Emergency Management (MDEM).

**Analysis**

The Department advised that it will use the proposed grant funds to improve the County's ability to plan for, respond to, mitigate, and recover from disasters and emergencies. Specifically, the proposed \$81,176 will be used to maintain and update technology in the County's Emergency

Operations Centers and to purchase technology to enable the Hazardous Materials Team to effectively respond to bioterrorism events.

The Department advised that the EMPG is a recurring, non-competitive grant issued by the U.S. Department of Homeland Security to assist local jurisdictions in preparing to respond to disasters. The County's FY 2022 Operating Budget includes a \$290,000 appropriation to the EMPG Gifts and Grants Fund Program. The proposed supplemental appropriation of \$81,176 represents additional one-time funding that was made available through the American Rescue Plan Act and is included in a separate grant program.

The grant period is October 1, 2020 to June 30, 2023. The Department advised that the County is required to provide a 100% match (\$81,176) of the grant award. The Department further advised that the County's current investment in the 911 Center's phone system through its annual phone system service agreements meets the matching requirement.

With the affirmative vote of five members of the County Council, Bill 107-21 will take effect February 1, 2022.

## **EXECUTIVE SUMMARY**

The Baltimore County Office of Homeland Security and Emergency Management (HSEM) has been awarded \$81,176.36 by The Maryland Department of Emergency Management (MDEM (formerly MEMA)) through the Department of Homeland Security (DHS) Emergency Management performance Grant (EMPG).

EMPG is a recurring, non-competitive grant distributed annually by DHS to assist local jurisdictions in preparing to respond to disasters. This additional one time funding was made available through the American Rescue Plan Act (ARPA).

The HSEM will use these funds to continue to maintain and update technology in the County's Emergency Operations Centers. This money will also be used to purchase needed technology to enable the hazardous materials team to effectively respond to bioterrorism events.

EMPG requires jurisdictions to provide a 100% match in funding to support emergency management and response capability. Baltimore County's current investment in the 911 center's phone system meets the requirements for this match and exceeds the minimum required funding. Therefore there is no current or future encumbrance on the County related to the acceptance of this grant.

Prepared by: Fire Department

**Bill 108-21 (Supplemental Appropriation)****Council District(s) All****Mr. Jones (By Req.)****Department of Health and Human Services****Immunization and Vaccines for Children**

The Administration is requesting a supplemental appropriation of federal funds totaling \$4,487,134 to the Immunization and Vaccines for Children Gifts and Grants Fund program. The Department advised that the funds will be used for COVID-19 vaccine implementation activities (e.g., vaccination staff, medical and operational supplies for vaccination clinics), with a focus on reaching disproportionately affected populations and reducing barriers to vaccination access. Specifically, the Department advised that it will use \$3,414,446 for the salaries and fringe benefits of various positions that will work at vaccination clinics or assist with the scheduling of the clinics and \$1,072,688 for related expenses. See Exhibit A.

<b>Fiscal Summary</b>			
<b>Funding Source</b>	<b>Supplemental Appropriation</b>	<b>Current Appropriation</b>	<b>Total Appropriation</b>
<b>County</b>	--	--	--
<b>State</b>	--	--	--
<b>Federal <sup>(1)</sup></b>	\$ 4,487,134	--	\$ 4,487,134
<b>Other</b>	--	--	--
<b>Total</b>	<u>\$ 4,487,134</u>	<u>--</u>	<u>\$ 4,487,134</u>

<sup>(1)</sup> U.S. Centers for Disease Control and Prevention (CDC) funds passed through the Maryland Department of Health. No County matching funds are required.

**Analysis**

The Department advised that the proposed \$4,487,134 supplemental appropriation will be used for COVID-19 vaccine implementation activities (e.g., vaccination staff, medical and operational supplies for vaccination clinics), with a focus on reaching disproportionately affected populations

and reducing barriers to vaccination access. (The Department advised that the grant conditions do not limit the use of funds to the vaccination of children.) Specifically, the Department advised that it will use \$3,414,446 of the proposed funds for the salaries and fringe benefits of the following positions that will work at vaccination clinics or assist with the scheduling of the clinics:

- 2 Nurse Monitors (Temporary, 29 hours, Homebound vaccination)
- Physicians (Temporary, 29 hours, Vaccination Clinics – 1,400 hours total)
- 2 Management Analysts (Temporary, 29 hours, Vaccination Clinic Assistance)
- 5 Office Assistants (Temporary, 29 hours, Vaccination Clinic Assistance)
- 1 Public Health Nurse Supervisor (PT, 34 hours, Vaccination Clinic Supervisor)
- 4 Public Health Nurses (PT, 34 hours, Vaccination Clinic)
- Nurse Monitors (Temporary, 29 hours, Vaccination Clinics – 32,294 hours total)
- 2 Nurse Assistants (Temporary, 29 hours, Vaccination Clinic)
- 1 Data Entry Operator (PT, 34 hours, Vaccination Data)
- Various Health Department chargebacks as needed (i.e., salary costs for current Health Department employees reassigned to work at the vaccination clinics will be transferred to the proposed grant).

The remaining \$1,072,688 of the proposed funding will be used for related expenses (e.g., professional services (deep cleaning services at the vaccination clinic sites), advertising, operational and medical supplies, vehicle rental (for homebound vaccination services), operational equipment (refrigerators and freezers for vaccine storage)).

The grant period is July 1, 2021 to June 30, 2022. No County matching funds are required.

With the affirmative vote of five members of the County Council, Bill 108-21 will take effect February 1, 2022.

## Executive Summary

### Immunization and Vaccines for Children

The administration is requesting a supplemental appropriation of \$4,487,134. The Maryland Department of Health is awarding Baltimore County an Immunization and Vaccines for Children grant, funded through the Federal Department of Health and Human Services (DHHS), Centers for Disease Control and Prevention (CDC) to support COVID-19 vaccination implementation activities.

Baltimore County Health and Human Services will use this funding for vaccination staff, medical and operation supplies for our vaccination clinics including those needed for our Homebound program.

\$4,487,134 has been made available to Baltimore County Health and Human Services for the period of July 1, 2021 through June 30, 2022.

Prepared by: Department of Health and Human Services

**Bill 109-21 (Supplemental Appropriation)****Council District(s) All****Mr. Jones (By Req.)****Department of Health and Human Services****COVID-19 Public Health Workforce Supplemental Funding**

The Administration is requesting a supplemental appropriation of federal funds totaling \$2,933,961 to the COVID-19 Public Health Workforce Supplemental Funding Gifts and Grants Fund program. The Department advised that the funds will be used to address the continued impact of the COVID-19 pandemic. Specifically, the Department advised that it will use \$1,933,961 of the funds to hire 14 additional positions to support the County's response to the COVID-19 pandemic and for pandemic response-related costs (e.g., contractual services, supplies), and the remaining \$1,000,000 will be provided to Baltimore County Public Schools (BCPS) to hire and train 5 additional school health nurses. See Exhibit A.

**Fiscal Summary**

<b>Funding Source</b>	<b>Supplemental Appropriation</b>	<b>Current Appropriation</b>	<b>Total Appropriation</b>
<b>County</b>	--	--	--
<b>State</b>	--	--	--
<b>Federal <sup>(1)</sup></b>	\$ 2,933,961	--	\$ 2,933,961
<b>Other</b>	--	--	--
<b>Total</b>	<u>\$ 2,933,961</u>	<u>--</u>	<u>\$ 2,933,961</u>

<sup>(1)</sup> U.S. Centers for Disease Control and Prevention (CDC) funds passed through the Maryland Department of Health. No County matching funds are required.

**Analysis**

The Department advised that the proposed \$2,933,961 supplemental appropriation is intended to establish, expand, train, and sustain the local public health workforce to support COVID-19



prevention, preparedness, response, and recovery initiatives, including school-based health programs. The Department further advised that it will use \$1,933,961 for the salaries and fringe benefits of 14 additional positions for a new unit within the Department's Emerging Infectious Disease program (\$1,540,665) and for pandemic response-related costs (e.g., contractual services, supplies) (\$393,296). The Department also advised that these positions will support the County's response to the COVID-19 pandemic while also coordinating efforts to collect data and information to improve program effectiveness and plan for future responses (outbreak investigations and contact tracing to pinpoint high transmission areas for purposes of placing mobile outreach for vaccines or increased testing).

The 14 positions are:

- Physician I (PT, 34 hours, Surveillance Lead)
- Management Analyst IV (FT, 35 hours, COVID Grant Management)
- Public Health Nurse Administrator (FT, 35 hours, Clinical Supervision)
- Management Analyst II (Temporary, 29 hours, Communications/Hotline)
- Human Resource Analyst I (PT, 34 hours, HR Assistance)
- Management Analyst I (PT, 34 hours, Finance Assistance)
- Human Services Associate (PT, 34 hours, Data Entry)
- Human Services Associate (PT, 34 hours, Laboratory/Quality Improvement)
- Human Services Associate (Temporary, 29 hours, Translation)
- Office Coordinator (PT, 34 hours, Administrative Assistance)
- Office Assistant (Temporary, 29 hours, Surveillance Clerical Assistance)
- Office Assistant (Temporary, 29 hours, Surveillance Clerical Assistance)
- Office Assistant (Temporary, 29 hours, Clinical Clerical Assistance)
- Account Clerk II (Temporary, 29 hours, Purchasing/Payables)

The Department further advised that the County will provide the remaining \$1,000,000 to BCPS to hire and train 5 additional school health nurses.

The grant period is July 1, 2021 to June 30, 2023. No County matching funds are required.

With the affirmative vote of five members of the County Council, Bill 109-21 will take effect February 1, 2022.

## Executive Summary

### COVID-19 Public Health Workforce Supplemental Funding

The administration is requesting a supplemental appropriation of \$2,933,961 for our COVID-19 Public Health Workforce grant program. The Maryland Department of Health is awarding Baltimore County Health and Human Services additional funding made available from the Centers for Disease Control and Prevention (CDC) to “provide additional relief to address the continued impact of COVID-19.”

Baltimore County will use this funding to hire additional positions to support Baltimore County’s response to the current COVID-19 pandemic while also coordinating efforts to collect data and information to improve program effectiveness and plan for future responses. The County will provide \$1,000,000 of this funding to the Baltimore County Public School’s wellness programs, to hire additional School Health Nurses.

Prepared by: Department of Health and Human Services

**Bill 110-21****Council District(s) 6**

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**Mrs. Bevins**

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**Zoning Regulations - Signs**

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Bill 110-21 permits a freestanding joint identification sign under certain circumstances on property used for commercial purposes in a Density Residential (D.R.) 5.5 Zone that includes Manufacturing Light Restricted (M.L.R.) and Manufacturing Light (M.L.) zoning. Also, the property must be located within one mile of the Cowenton-Ebenezer Commercial Revitalization District.

Specifically, the bill permits a sign for one property to co-locate a sign on a new or existing sign on an adjacent property, regardless of the ownership or control of the adjacent property's sign, provided there is a written lease agreement between the sign location property owner and the adjacent property owner submitted with the use permit application.

With the affirmative vote of five members of the County Council, Bill 110-21 shall take effect January 31, 2022.

**Bill 111-21****Council District(s) 6**

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**Mrs. Bevins**

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**Zoning Regulations – Uses Permitted in the Manufacturing, Light (M.L.) Zone**

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Bill 111-21 permits veterinarians' offices and veterinarians by right in the M.L. Zone as an industrial use, provided they are located within the Middle River Redevelopment Area as set forth in the Baltimore County Master Plan 2020.

With the affirmative vote of five members of the County Council, Bill 111-21 shall take effect January 31, 2022.

**Bill 112-21****Council District(s) All**

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**Mr. Kach**

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**Planned Unit Developments – Extension of Time for State of Emergency**

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Bill 112-21 amends the Planned Unit Development (“PUD”) approval timeline to permit additional time during a local state of emergency. Under current law, a PUD applicant must submit a concept plan to the Department of Permits, Approvals and Inspections (“PAI”) within 90 days after the adoption of the Council resolution that approves the plan for County review.

On May 7, 2021, the Council approved Bill 36-21, which permits a PUD applicant to delay submission of its concept plan to PAI if the Council passed the requisite resolution during a local state of emergency. In that case, the PUD applicant may submit its concept plan up to 180 days after the expiration of the local state of emergency that existed when the Council passed the resolution.

Bill 112-21 amends the 180 days set forth in Bill 36-21 to one year, effectively extending the time for submission by an additional six months.

With the affirmative vote of five members of the County Council, Bill 112-21 shall take effect January 31, 2022 and apply retroactively to March 13, 2020.

**Bill 113-21****Council District(s) All**

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**Mr. Marks**

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**Backyard Chickens**

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Bill 113-21 amends the County Code and Zoning Regulations to permit a person to keep a certain number of hens on an owner-occupied property of less than one acre. Colloquially, laws or regulations permitting this are referred to as “backyard chicken laws.” Currently, the Zoning Regulations require at least one acre for the owning and keeping of fowl or poultry such as chickens, ducks, turkeys, geese, and pigeons, with no numerical limit.

Previously, the Council passed Resolution 73-13, which asked the Planning Board to review the backyard chicken laws of other Maryland jurisdictions and make recommendations to the County Council on possible amendments to the current regulations. In July 2015, the Board submitted its report and recommendations to the Council. The report recommended a limited backyard chicken program for less than one-acre properties, citing concerns from Code Enforcement and the Department of Environmental Protection and Sustainability (DEPS) that increasing the number of chickens and coops in the County could potentially exacerbate rodent infestations and potentially increase the County’s Total Maximum Daily Load (TMDL) of waste entering streams and waterways.

Bill 113-21 amends § 100.6 of the Zoning Regulations to permit the keeping of hens on a property less than one acre in size, provided the lot is improved with a single-family detached dwelling and owner-occupied as a residence. The maximum number of hens that may be kept is 4 on a lot between 10,000 and 19,999 square feet; 6 on a lot between 20,000 and 29,999 square feet; 8 on a lot between 30,000 and 39,999 square feet; and 10 on a lot between 40,000 square feet and one acre.

Under current law, hens and roosters are both referred to as chickens. The bill separates the definition of chicken into hen – a female chicken that lays eggs – and rooster – a male chicken that does not lay eggs. Hens are permitted on sub-one-acre properties while roosters are not.

Before a hen may be kept on a sub-one-acre property, the property owner must obtain a license from the Department of Permits, Approvals and Inspections (PAI) and be registered with the

Maryland Department of Agriculture. To obtain a license, an applicant must submit an application that includes, among other information, the property address and lot size; the number and breed of hens; and written certification that the applicant shall be responsible for the care of the hens and comply with all local requirements.

The Director of PAI may place limitations or conditions to a license if reasonably necessary to protect any person or neighboring use from unsanitary conditions, unreasonable noise or odors, or to protect the public health, safety, or welfare. Once issued, a license must be renewed annually. A license is not transferrable to a new person or property. A license may be revoked if in the judgment of the Health Officer, the keeping of hens on a property is detrimental to the public health, safety, or welfare.

License holders are responsible for keeping all hens on a property in a humane manner at all times. This includes actions such as conducting regular litter management, providing potable water and proper feed, and obtaining proper veterinary care. License holders are prohibited from using waste material as fertilizer on their property, slaughtering or allowing the slaughtering of a hen kept on the property, or being absent from the property for more than two days without providing for the proper care of the hens.

In addition to the license requirements set forth in the County Code, the Zoning Regulations require the property owner to provide a coop and an outdoor run or free range area. Both coops and runs have specific placement, setback, construction, and size requirements. Additionally, setbacks may not be reduced through a variance.

A coop must provide at least three square feet per hen and adequately protect the hens from harsh weather during all seasons. A run or free range area must provide at least four square feet per hen and be fully fenced such that the hens are confined to the property and protected from predators. Both coops and runs must be cleaned regularly and kept free of all offensive odors and materials that may attract rodents, insects, or other pests.

With the affirmative vote of five members of the County Council, Bill 113-21 shall take effect February 1, 2022.

**Bill 114-21****Council District(s) 4**

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**Mr. Jones**

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**County Code – Revitalization Property Tax Credit**

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Bill 114-21 amends the categories of commercially zoned properties that are eligible for a revitalization property tax credit. Specifically, the bill makes eligible a property that is located within a State designated Transit Oriented Development, is in the C.T. District of Owings Mills, and is south of Interstate 795. The bill also limits the qualifying improvements for such a property to improvements for a building or structure that is at least 100 feet in height. Last, the bill permits such an eligible property to continue receiving the tax credit for 20 tax years.

The fiscal impact of this legislation depends on the value of improvements that become eligible to receive a property tax credit.

With the affirmative vote of five members of the County Council, Bill 114-21 shall take effect January 31, 2022.



**FM-1 (Contract)****Council District(s) 3 & 5**

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**Administrative Office**

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**Reduction of Energy Consumption/Save Associated Energy/Maintenance Costs**

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The Administration is requesting approval to enter into an Energy Savings Performance Contract (ESPC) with CEG Solutions LLC to implement comprehensive energy efficiency and guaranteed savings programs at two County buildings: the Glen Arm Equipment Maintenance Facility and the Drumcastle Government Center. The contract's construction period (when equipment installation will occur) commences upon Council approval and continues for approximately 14 months; performance period services continue for 14 years after the construction period. Compensation during the construction period totals \$3,582,857. Additionally, the County will pay the contractor an annual measurement and verification services fee ranging from \$21,015 in the first year to \$33,407 in the fourteenth year; such fees total approximately \$375,000 over the 14-year period. Compensation during the entire approximate 15-year and 2-month term totals \$3,957,643. The Administration estimates that the County will incur annual energy and other (i.e., operations and maintenance) cost savings of approximately \$264,000 during the 14-year performance period after payment of the annual measurement and verification services fees; the contractor guarantees \$241,000 per year in cost savings. The Administration advised that the proposed contract is "budget-neutral" – with all project costs offset fully by guaranteed savings over the performance period. See Exhibit A.

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### Fiscal Summary

<b>Funding Source</b>	<b>Total Compensation</b>
<b>County</b> <sup>(1)</sup>	\$ 3,957,643
<b>State</b>	--
<b>Federal</b>	--
<b>Other</b>	--
<b>Total</b>	\$ 3,957,643 <sup>(2)</sup>

<sup>(1)</sup> Capital Projects Fund.

<sup>(2)</sup> The County will pay the fixed sum of \$3,582,857 during the 14-month construction period, plus an annual measurement and verification fee ranging from \$21,015 to \$33,407. The Administration estimates that the County will incur annual energy and other (i.e., operations and maintenance) cost savings of approximately \$264,000 during the 14-year performance period, after payment of the measurement and verification fees, resulting in payback for construction costs over a 13.6-year period. In the event the energy and cost savings achieved during any performance period year are less than the guaranteed threshold savings of approximately \$241,000 (or 91% of estimated cost savings), the contractor will pay the County an amount equal to the deficiency.

### Analysis

In an effort to meet energy reduction goals, the County is seeking to contract with an Energy Services Company (ESCO) for energy services and energy-related capital improvements that would be financed through an Energy Savings Performance Contract (ESPC), which the Administration advised is a budget-neutral approach to making building improvements and increasing operational efficiency. On November 2, 2020, the Council approved a 6-month contract with CEG Solutions LLC not to exceed \$229,223 to perform an energy audit and to develop, with the option to implement, energy conservation measures (ECMs) and guaranteed savings programs at two County buildings: the Glen Arm Equipment Maintenance Facility and the Drumcastle Government Center. At the time, Property Management advised that should the County accept the audit report, the County would enter into a 15-year ESPC. The Administration advised that the County accepted the audit report recommendations and as a result, the \$229,223 cost of the audit is rolled into the anticipated energy savings.

Under the proposed agreement, CEG Solutions LLC will be responsible for providing complete services for a turnkey project including design of complex energy and capital improvement projects, comprehensive construction management, equipment maintenance and repair/replacement for the selected ECMs, and ongoing measurement and verification services. The Administration advised that the selected ECMs include lighting upgrades, HVAC control

strategies, replacing an aging steam boiler with a high-efficiency hot water boiler and gas infrared heaters, and replacing an aging air compressor. The contract provides that the contractor will pay for all labor, materials, equipment, tools, construction equipment and machinery, transportation, and other facilities and services necessary for the proper execution and completion of the work.

The contract's construction and installation period commences upon Council approval and continues for approximately 14 months; performance period services continue for 14 years after the construction and installation period. During the construction and installation period, CEG Solutions LLC will implement the ECMs identified during the energy audit that the County has approved. The contract requires the County to pay the contractor \$3,582,857 during the construction and installation period. Additionally, the County will pay the contractor an annual measurement and verification services fee ranging from \$21,015 in the first year to \$33,407 in the fourteenth year; such fees total approximately \$375,000 over the 14-year period. The Administration estimates that the County will incur annual energy and other (i.e., operations and maintenance) cost savings of approximately \$264,000 during the 14-year performance period, after payment of the annual measurement and verification services fee, recouping all funds paid to the contractor in 13.6 years. The contract provides that in the event the energy and cost savings achieved during any performance period year are less than the guaranteed threshold savings (91% of estimated cost savings, or approximately \$241,000), the contractor will pay the County an amount equal to the deficiency. During the guaranteed savings period, the contractor shall provide service, repairs, and adjustments to the equipment at no cost to the County.

The County solicited proposals from eight contractors awarded State contracts through a Maryland Department of General Services award on May 14, 2018. Property Management advised that from the eight contractors, the County received two proposals, and the County's evaluation panel selected the contractor based on qualifications and value. According to the bid documents, there was a 30% M/WBE participation requirement.

Since 2010, energy audits have been performed at numerous County-owned buildings, including the Glen Arm Equipment Maintenance Facility and the Drumcastle Government Center. Property Management advised that selected energy saving measures resulted in \$299,817 in annual cost savings for Drumcastle, and that ECMs were not implemented at the Glen Arm facility.

County Charter, Section 715, requires that "any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year...."

## **Executive Summary**

As the owner and operator of over 150 buildings, the County has identified the need to reduce energy consumption and save associated energy and maintenance costs, which can be done through an Energy Performance Contract (EPC), a budget neutral approach to make building improvements and increase operational efficiency. Request for Proposals No.P-244 was released in 2019 and requested an energy services company for a full range of energy-related capital improvements (energy conservation measures or ECMs), financed through a performance contract for the facilities identified. Eligible energy service companies competitively selected and qualified under the Maryland State Department of General Services (DGS) indefinite delivery contract (I.D. no. EPC-IDC-8.0) were invited to submit a Phase I proposal to conduct a detailed energy audit, technical study, and provide a preliminary list of ECMs to achieve cost-effective energy reductions. CEG Solutions was selected based on its ranking on the technical and price-based evaluation criteria. The County entered into a contract with CEG Solutions to perform a Phase I Investment Grade Audit for the Drumcastle Government Center and the Glen Arm Maintenance Facility.

This audit investigated potential Energy Conservation Measures (ECMs) for the facilities to determine which are feasible and provide sufficient savings over a payback period of fifteen years to cover the costs of design and installation as a guaranteed cost avoidance to be achieved throughout the payback period. CEG Solutions developed a suite of procedures for controlling energy and reducing operating costs by conducting a full review of facility information and equipment and by visiting the project sites multiple times, collecting detailed equipment inventory data, Building Automation (BAS screenshots), and temperature and CO2 level measurements. This information was delivered to the County as a Phase I Audit Report which the County has approved. The report includes costs and savings for seven impactful ECMs at two buildings that will fit within the County's desired 15-year performance term.

CEG Solutions has completed the audit and selected the ECMs to pursue based on the review and input of a County working team. As part of Phase II-Design and Construction, CEG Solutions submitted a Phase II proposal to design, implement and install the necessary equipment and technology for the energy performance measures. Under the proposed agreement, CEG Solutions is responsible for providing complete services for a turnkey project including design of complex energy and capital improvement projects, comprehensive construction management, equipment maintenance and repair/replacement for the selected ECMs, and ongoing measurement and verification (M&V) services.

This proposed energy performance contract scope of services includes two buildings: 1) Drumcastle Government Center and 2) Glen Arm Maintenance Facility.

The selected ECMs include lighting upgrades, HVAC control strategies, replacing an aging steam boiler with a high-efficiency hot water boiler and gas infrared heaters, and replacing an aging air compressor. The construction cost is approximately \$3.58 million, with an estimated annual cost savings (includes both energy cost savings and O&M savings) of approximately \$264,000 per year. CEG Solutions will be responsible to pay for all labor, materials, equipment, tools, construction equipment and machinery, transportation and other facilities and services necessary for the proper execution and completion of the work. Implementation of the recommended ECMs is expected to produce the following benefits for the County:

- Reduce annual electricity usage by more than 2,100,000 kWh or a 37% reduction over baseline consumption for these two facilities.
- Reduce annual natural gas usage by more than 58,000 therms or a 64% reduction over baseline consumption for both buildings.
- Reduce annual water usage by more than 900 kGal or a 38% reduction over baseline consumption (Drumcastle only).
- Reduce annual greenhouse gas emissions by more than 900,000 kg CO<sub>2</sub>e in Year 1.
- Reduce average energy use intensity (EUI) of the sites by 58%.

The recommended energy conservation measures (ECMs) for these facilities result in \$241k of guaranteed Year 1 cost savings (the guaranteed savings is factored at 91% of total projected annual cost savings), and an implementation price of \$3.583M (including County controlled contingency), and a simple payback of 13.6 years. The construction period is 14 months, followed by 14 years of post-acceptance performance period services, including an annual Measurement and Verification report.

The project will (1) address energy-intensive facility upgrades for two large County buildings and (2) help the County demonstrate how energy efficiency and water use reduction improvements can be undertaken in a cost-neutral way for the County. The cost of the project will be paid from guaranteed savings (including both energy and O&M savings) generated by the project. Under the revised payment structure, the County will make all payments during the construction/installation period and be billed based on percentage of work completed. As proposed, savings will be documented via annual M&V reports over 14 years (because project simple payback is 13.6 years).

In the event the energy and cost savings achieved during any guarantee year are less than the guaranteed savings threshold as defined in the proposal, CEG Solutions will pay the County an amount equal to the deficiency. The annual savings guarantee is effective annually for the life of the proposed contract.

County staff from the Bureau of Property Management, the Office of Law, the Office of Budget and Finance, and the Executive Office's Sustainability Office have reviewed the Phase II price proposal, technical proposal, and proposed contractual agreement (incorporating the pricing and technical terms). Staff recommends entering into an Energy Savings Performance Contract with CEG Solutions for all professional services, equipment and construction for the purchase and installation of energy, water and operating cost savings measures. The evaluation team recommends that the County accepts and executes the proposed agreement.

In the case of the current proposed agreement, the advantage of the EPC structure is as a "turnkey" project where design, construction, maintenance of new equipment, and measurable outcome is all inclusive. It is a good way to take the cost of energy savings and front the capital expense with a guaranteed savings under one general contractor.

Prepared by: Administrative Office

**FM-2 (2 Contract Amendments)****Council District(s) All****Property Management****Overhead Door Services**

The Administration is requesting amendments to two contracts, with Baltimore Precision Door, Inc. and RollingDoors, LLC, to continue to provide on-call installation, repair, and maintenance of overhead doors in County-owned and/or operated buildings. The proposed amendments increase the compensation for both contracts combined by \$405,147, from \$730,419 to \$1,135,566, for the entire 5-year and 4-month term, including the renewal and extension periods. The contracts commenced July 1, 2019. See Exhibit A.

**Fiscal Summary**

<b>Funding Source</b>	<b>Combined Contract Amendments</b>	<b>Combined Current Maximum Compensation</b>	<b>Combined Amended Maximum Compensation</b>
<b>County</b> <sup>(1)</sup>	\$ 405,147	\$ 730,419	\$ 1,135,566
<b>State</b>	--	--	--
<b>Federal</b>	--	--	--
<b>Other</b>	--	--	--
<b>Total</b>	<u>\$ 405,147</u> <sup>(2)</sup>	<u>\$ 730,419</u>	<u>\$ 1,135,566</u> <sup>(3)</sup>

<sup>(1)</sup> General Fund Operating Budget or Capital Projects Fund, depending on the nature of the work.

<sup>(2)</sup> Additional compensation for both contractors combined for the entire 5-year and 4-month term, including the renewal and extension periods.

<sup>(3)</sup> Maximum compensation for both contractors combined for the entire 5-year and 4-month term, including the renewal and extension periods.

**Analysis**

The contractors provide all labor, materials, tools, equipment, supervision, incidentals and related items for on-call overhead door services at County-owned and/or operated buildings (e.g., fire stations). Hourly rates for labor range from \$40 to \$105, depending on the worker's skill level

(mechanic or helper) and time status (regular or overtime). The mark-ups for materials and subcontracting services are 20% for both for RollingDoors, LLC and 25% and 10%, respectively, for Baltimore Precision Door, Inc. The mark-up for rental equipment is 5% for both contractors. Both contractors serve as primary contractors with the intention of the County to issue work equally; however, the assignment of work is at the County's sole discretion.

Property Management advised that the proposed contract amendments are necessary to handle the increase for overhead door repairs and replacements due to the volume of aging doors in County-owned and/or operated buildings.

On July 1, 2019, the Council approved the original contracts with combined compensation not to exceed \$730,419 for the entire 5-year and 4-month term, including the renewal and extension periods. The proposed amendments increase the compensation for both contracts combined by \$405,147 to \$1,135,566 for the entire 5-year and 4-month term, including the renewal and extension periods. All other terms and conditions remain the same. The County's financial system indicated that as of December 29, 2021, expenditures/encumbrances totaled \$684,832: \$522,235 for Baltimore Precision Door, Inc. and \$162,597 for RollingDoors, LLC.

Prior to the commencement of each renewal period, the County may entertain a request for an escalation in unit prices in accordance with the Consumer Price Index – All Urban Consumers – United States Average – All Items (CPI-U), as published by the United States Department of Labor, Bureau of Labor Statistics at the time of the request, or up to a maximum 5% increase on the current pricing, whichever is lower. The County may terminate the agreements by providing 30 days prior written notice.

The County awarded the contracts through a competitive procurement process based on the lowest responsive and responsible bids from three bids received.

County Charter, Section 715, requires that “any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year....”

## Executive Summary

Property Management is requesting the approval of amendments to the contracts for Baltimore Precision Door, Inc. & RollingDoors, LLC, to provide Overhead Door Repair and Replacement for County owned and operated buildings throughout Baltimore County, on an as-needed basis. This Amendment shall be effective when executed by the County. In the event the County Council approves this Agreement, the term of this Agreement shall continue through the remaining term.

Currently on MA 4151 with Baltimore Precision Door, Inc. there is \$5,756.88 of the NTE available and on MA 4150 with RollingDoors, LLC there is \$ 39,840.73 of the NTE available.

The total compensation will increase from Seven Hundred Thirty Thousand Four Hundred Nineteen Dollars and Thirty-Eight Cents (\$730,419.38) to One Million One Hundred Thirty-Five Thousand Five Hundred Sixty-Five Dollars and Seventy Cents (\$1,135,565.70).

Paragraph 2.3 of the Agreement shall be deleted and replaced with the following:

“The Contractor acknowledges that the County has entered into agreements with multiple contractors for these services. The contractor further acknowledges that it is not guaranteed any minimum amount of work under this agreement and further acknowledges that in no event shall the combined sum of compensation paid to all Contractors exceed the sum of One Million One Hundred Thirty-Five Thousand Five Hundred Sixty-Five Dollars and Seventy Cents (\$1,135,565.70) during the entire term of this Agreement including renewals thereof.”

All other terms, conditions and provisions of the Agreement remain in full force and effect.

Prepared by: Property Management



FM-3 (Contract)

Council District(s) All


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**Circuit Court**


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**Drug Testing and Treatment Services**


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The Administration is requesting approval of a contract with Project Chesapeake, LLC to provide drug testing and treatment services for participants enrolled in the Circuit Court's Adult Drug Court program. The Circuit Court advised that the contract is being revised to commence upon Council approval, continue through June 30, 2022, with the option to renew for four additional 1-year periods. Compensation may not exceed \$50,000 for the initial approximate 5½-month term and \$100,000 during any renewal period, or \$450,000 for the entire approximate 4-year and 5½-month term, including the renewal periods. See Exhibit A.

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**Fiscal Summary**

<b>Funding Source</b>	<b>Initial Term</b>	<b>Maximum Compensation</b>
<b>County</b>	--	--
<b>State <sup>(1)</sup></b>	\$ 50,000	\$ 450,000
<b>Federal</b>	--	--
<b>Other</b>	--	--
<b>Total</b>	<u>\$ 50,000 <sup>(2)</sup></u>	<u>\$ 450,000 <sup>(3)</sup></u>

<sup>(1)</sup> Maryland Administrative Office of the Courts, Office of Problem Solving Courts (OPSC) funds.

<sup>(2)</sup> Maximum compensation for the initial approximate 5½-month term.

<sup>(3)</sup> Maximum compensation for the entire approximate 4-year and 5½-month term, including the renewal periods.

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**Analysis**

The Circuit Court advised that the Adult Drug Treatment Court program is a voluntary, non-adversarial judicially-supervised program for substance-abusing offenders who have been charged with a felony in the Circuit Court for Baltimore County. The Circuit Court further advised

that the program's mission is to reduce drug dependency by utilizing community resources in an intensive program that combines treatment with comprehensive support services to enable offenders to sustain a crime-free, sober life. The Circuit Court also advised that the County's program commenced in fall 2021, and 22 jurisdictions throughout the State have this program.

The contractor will serve as the drug testing facility for the program and the preferred substance use disorder treatment provider for program participants. The contractor will staff a Clinical Case Manager, who will provide a clinical perspective and input as to what program participants may need in terms of treatment, including amenability to treatment, level of care, and appropriate referrals for behavioral health services and trauma-informed care, as well as report all results and treatment services to the Circuit Court. The Circuit Court advised that it will use that information to plan a path for each person in order to complete the Adult Drug Court program. The Circuit Court further advised that the Adult Drug Court program will serve 100 participants at a time and approximately 750 participants over the course of a year.

The Circuit Court advised that the contract is being revised to commence upon Council approval, continue through June 30, 2022, with the option to renew for four additional 1-year periods on the same terms and conditions. Compensation may not exceed \$50,000 for the initial approximate 5½-month term and \$100,000 during any renewal period, or \$450,000 for the entire approximate 4-year and 5½-month term, including the renewal periods. The County may terminate the agreement by providing 30 days prior written notice. The Circuit Court advised that any services that are incurred prior to Council approval will be billed under a separate purchase order not to exceed \$25,000.

The County awarded the contract as a cooperative procurement of an existing competitively bid Frederick County contract awarded in July 2021.

FM-4 on this agenda is a contract with Alcohol Monitoring Systems, Inc. to provide ankle bracelet monitoring and reporting services for participants in the Adult Drug Court program.

County Charter, Section 715, requires that "any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year...."

## Executive Summary

The Adult Drug Treatment Court program is a voluntary, non-adversarial judicially supervised program for substance-abusing offenders that are charged with a felony in the Circuit Court for Baltimore County. The mission of the Adult Drug Treatment Court is to reduce drug dependency by utilizing community resources in an intensive program that combines treatment with comprehensive support services to enable eligible offenders to sustain a crime-free, sober life. The goal is to decrease drug-related crime by providing need-specific treatment and services for substance abusers, thereby enhancing the quality of life for both the participants and the community.

Project Chesapeake is in the business of drug testing and treatment, specifically to support Adult Drug Courts. The testing is intensive and the treatment for each individual is driven by their circumstances and their test results. Project Chesapeake reports all results and treatment services for each client to the Court. The Court then uses that information to plan a path for each person which leads to completion of the Adult Drug Court regimen, and achievement of the goals outlined in the first paragraph.

Prepared by: Circuit Court

**FM-4 (Agreement)****Council District(s) All****Circuit Court****Ankle Bracelet Monitoring/Reporting Services**

The Administration is requesting approval of an agreement with Alcohol Monitoring Systems, Inc. (AMS) to provide ankle bracelet monitoring and reporting services for participants enrolled in the Circuit Court's Adult Drug Court program. The contract commences upon Council approval, continues for 1 year from the date the contractor approved the contract terms (until December 5, 2022), and may be extended by mutual written agreement for additional terms. (The Circuit Court advised that it will need to evaluate the program to determine whether to renew the contract.) The contract does not specify a compensation amount. The Circuit Court advised that compensation is dependent on the number of program participants and estimates compensation of \$10,000 for the initial term and \$25,000 per year in renewal terms, if extended; therefore, total compensation is not estimable at this time. See Exhibit A.

**Fiscal Summary**

<b>Funding Source</b>	<b>Initial Term</b>	<b>Renewal Terms (amount per year)</b>
<b>County</b>	--	--
<b>State <sup>(1)</sup></b>	\$ 10,000	\$ 25,000
<b>Federal</b>	--	--
<b>Other</b>	--	--
<b>Total</b>	\$ 10,000 <sup>(2)</sup>	\$ 25,000 <sup>(3)</sup>

<sup>(1)</sup> Maryland Administrative Office of the Courts, Office of Problem Solving Courts (OPSC).

<sup>(2)</sup> Estimated compensation for the initial term through December 5, 2022.

<sup>(3)</sup> Estimated annual renewal term compensation. The Circuit Court advised that it will need to evaluate the program to determine whether to renew the contract; therefore, total compensation is not estimable at this time.

### **Analysis**

The Circuit Court advised that the Adult Drug Treatment Court program is a voluntary, non-adversarial judicially-supervised program for substance-abusing offenders who have been charged with a felony in the Circuit Court for Baltimore County. The Circuit Court further advised that the program's mission is to reduce drug dependency by utilizing community resources in an intensive program that combines treatment with comprehensive support services to enable offenders to sustain a crime-free, sober life. The Circuit Court also advised that the County's program commenced in fall 2021, and 22 jurisdictions throughout the State have this program.

The contractor will provide ankle bracelet monitoring and reporting services for participants enrolled in the program. The Circuit Court advised that the information provided through monitoring will guide its oversight of the participants' progression through the program. The Circuit Court further advised that the program will serve 43 participants at a time and approximately 300 to 500 participants over the course of a year.

The contract commences upon Council approval, continues for 1 year from the date the contractor approved the contract terms (until December 5, 2022), and may be extended by mutual written agreement for additional terms. (The Circuit Court advised that it will need to evaluate the program to determine whether to renew the contract.) The contract does not specify a compensation amount. The Circuit Court advised that compensation is dependent on the number of program participants and estimates compensation of \$10,000 for the initial term and \$25,000 per year in renewal terms, if extended; therefore, total compensation is not estimable at this time. Either party may terminate the agreement by providing 30 days prior written notice. The Circuit Court advised that it will utilize a short-term purchase order agreement to cover the approximately \$2,000 in costs incurred during the period following contractor approval of contract terms but prior to County Council approval.

The Circuit Court advised that the County awarded the contract as a cooperative procurement of a State Judiciary contract effective July 2021.

FM-3 on this agenda is a contract with Project Chesapeake, LLC to provide drug testing and treatment services for participants enrolled in the Adult Drug Court program.

County Charter, Section 715, requires that "any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year...."

## Executive Summary

The Adult Drug Treatment Court program is a voluntary, non-adversarial judicially supervised program for substance-abusing offenders that are charged with a felony in the Circuit Court for Baltimore County. The mission of the Adult Drug Treatment Court is to reduce drug dependency by utilizing community resources in an intensive program that combines treatment with comprehensive support services to enable eligible offenders to sustain a crime-free, sober life. The goal is to decrease drug-related crime by providing need-specific treatment and services for substance abusers, thereby enhancing the quality of life for both the participants and the community.

The proposed contract with AMS, for SCRAM bracelets, will provide the Court with continuous alcohol and drug use monitoring of persons in the program. That information will guide the Court as to the participant's progression through the Adult Drug Court program.

Prepared by: Circuit Court

FM-5 (Contract)

Council District(s) All

**Department of Housing and Community Development**

**Compliance – Americans with Disabilities Act/UFAS Design Standards/Applicable Housing Accessibility Requirements**

The Administration is requesting approval of a contract with Bureau Veritas Technical Assessments, LLC to assess existing and newly constructed affordable Accessible Units, as defined in the Voluntary Conciliation Agreement (VCA), in order to determine full compliance with all requirements in the Section 504/Uniform Federal Accessibility Standards (UFAS) regulations, Americans with Disabilities Act (ADA) design standards, and other applicable fair housing accessibility requirements. The contract commences upon Council approval, continues through March 23, 2024, and will renew automatically for two additional 1-year periods with the option to extend the initial term or any renewal term an additional 120 days. The contract does not specify a maximum compensation for the initial approximate 2-year and 2-month term. Compensation may not exceed \$265,000 for the entire approximate 4-year and 6-month term, including the renewal and extension periods. See Exhibit A.

**Fiscal Summary**

<b>Funding Source</b>	<b>Maximum Compensation</b>	<b>Notes</b>
<b>County</b> <sup>(1)</sup>	\$ 265,000	<sup>(1)</sup> General Fund Operating Budget. <sup>(2)</sup> Maximum compensation for the entire approximate 4-year and 6-month term, including the renewal and extension periods. The contract does not specify a maximum compensation for the initial approximate 2-year and 2-month term.
<b>State</b>	--	
<b>Federal</b>	--	
<b>Other</b>	--	
<b>Total</b>	<u>\$ 265,000</u> <sup>(2)</sup>	

**Analysis**

The contractor will assess existing and newly constructed affordable Accessible Units, as defined in the VCA, in order to determine whether such units have been designed and constructed or

renovated in full compliance with all requirements in the Section 504/UFAS regulations, ADA design standards, and other applicable fair housing accessibility requirements. The contractor will provide accessibility support services, including but not limited to: reviewing and providing comments on plans/specifications; visiting the construction worksite and monitoring the work for compliance; quality control of accessibility issues; inspections; interfacing with regulatory entities; providing presentations and training on accessibility compliance for County developers, landlords, property managers, contractors, and County staff; compiling reports and responses on accessibility work; and issuing professional certifications that the work was constructed in compliance with the guidelines or other applicable codes and regulations.

The Department advised that if construction work is not in full compliance with the applicable requirements, the contractor will identify the deficiencies, the necessary remedial action(s) necessary to bring the construction work into full compliance, and a cost estimate of the remedial action(s). The Department further advised that all services performed must comply with all applicable federal regulations, State of Maryland and Baltimore County laws and regulations, and Baltimore County building code requirements.

The Department estimates that the contractor will assess, inspect, and certify up to 124 Accessible Units and perform at least 2 subject-matter trainings during the term of the contract. Hourly rates range from \$100 to \$135, depending on the position (e.g., code inspector, project manager).

The contract commences upon Council approval, continues through March 23, 2024, and will renew automatically for two additional 1-year periods with the option to extend the initial term or any renewal term an additional 120 days on the same terms and conditions, unless the County provides notice of non-renewal. The contract does not specify a maximum compensation for the initial approximate 2-year and 2-month term. Compensation may not exceed \$265,000 for the entire approximate 4-year and 6-month term, including the renewal and extension periods. The Department advised that the maximum compensation includes a 20% contingency. The County may terminate the agreement by providing 30 days prior written notice.

The County awarded the contract as a cooperative procurement of an existing competitively bid Housing Authority of Prince George's County (HAPG) contract awarded February 18, 2021. In accordance with the requirements of the Request for Proposal (RFP), the County has established



minimum thresholds of 18% and 7% of the total dollar amount for MBE and WBE utilization, respectively.

County Charter, Section 715, requires that “any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year....”

## Executive Summary

Baltimore County Council approval is being requested for a contract between Baltimore County and Bureau Veritas Technical Assessments, LLC to assess units existing and newly constructed affordable Accessible Units, as defined in the Voluntary Conciliation Agreement dated March 9, 2016. Bureau Veritas will conduct comprehensive, rigorous and thorough reviews of certain residential dwelling units to assess whether such units have been designed and constructed or renovated in full compliance with all of the requirements in the Section 504/UFAS regulations, Americans with Disabilities Act design standards (ADA), and other applicable fair housing accessibility requirements. Bureau Veritas will provide certifications of compliance, when appropriate.

The contract shall not exceed the sum of \$265,000 in county general funds to pay for the work to be performed under this contract.

DHCD has undertaken a cooperative purchase in procuring Bureau Veritas as the contractor, utilizing a Housing Authority of Prince George's County competitively bid Request for Proposal, RFP No. 2020-02 issued on June 16, 2020.

Bureau Veritas Technical Assessments, LLC will be responsible for providing accessibility support services, including, but not limited to: reviewing and providing comments on plans/specifications, visiting the construction worksite and monitoring the work for compliance, quality control of accessibility issues; inspections; interfacing with HUD and other regulatory entities; participating in conference calls with developers, contractors and County staff, making presentations and providing training on accessibility compliance for County developers, landlords, property managers, contractors and staff, compiling reports and responses on accessibility work(the "Accessibility Report") and issuing a stamped professional certification that the work was constructed in full compliance with the requirements of the Section 504/UFAS guidelines or other applicable state or federal fair housing accessibility codes and regulations.

If the construction work is not constructed in full compliance with the requirements of Section 504/UFAS regulations or HUD's Alternative Accessibility Standard, the Accessibility Report shall identify the deficiencies, the necessary remedial action(s) necessary to bring the construction work into full compliance with the Section 504/UFAS or applicable accessibility regulations, and a cost estimate of the remedial action(s). Contractor's employees are expected to have any and all appropriate licenses, professional certifications, and maintain expertise on real time developments in the field of disability compliance, particularly as it relates to federally subsidized housing including any changes in law, interpretations, regulations or guidance from HUD, DOJ, the Access Board, Maryland and Baltimore County codes, and other such government or legal entities that make or enforce laws or regulations regarding physical accessibility.

Any and all services performed must be in compliance with all applicable Federal regulations including, but not limited to, Section 504, UFAS, HUD's Alternative Accessibility Standard, ADA, environmental requirements, and federal procurement requirements. In addition, all services must be performed in compliance with applicable State of Maryland and Baltimore County laws and regulations and Baltimore County building code requirements.

DHCD estimates that the contractor will assess/inspect/certify up to 124 units and perform at least 2 subject-matter trainings for landlords, developers and/or County staff.

Prepared by: Department of Housing and Community Development

**FM-6 (6 Contracts)****Council District(s) All**

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**Department of Housing and Community Development**

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**Housing Counseling Services**

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The Administration is requesting approval of six contracts to provide housing counseling services to assist low- and moderate-income households to become first-time homebuyers within designated community conservation areas of the County. Services will include pre- and post-purchase counseling, assistance in mitigating mortgage default and foreclosure, lending, and legal and settlement services. The six contractors are: Belair-Edison Neighborhoods, Inc.; Diversified Housing Development, Inc.; Dundalk Renaissance Corp.; Eastside Community Development Corp.; HARBEL Community Organization, Inc.; and St. Ambrose Housing Aid Center, Inc. Each contract commences upon Council approval, continues through June 30, 2022, and will renew automatically for four additional 1-year periods with the option to extend the initial term or any renewal term an additional 180 days. Compensation for all contractors combined may not exceed \$549,162 for the initial approximate 5-month term; however, the Department advised that estimated compensation for all contractors combined during the initial term totals \$494,160. The contracts do not specify a maximum compensation for the entire contract term; rather, compensation for each renewal period shall be negotiated between the County and the contractors and will be determined by the availability of grant funds the County receives for these services. Estimated compensation totals \$3,276,990 for all contractors combined for the entire approximate 4-year and 11-month term, including the renewal and extension periods.

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### Fiscal Summary

<b>Funding Source</b>	<b>Initial Term</b>	<b>Combined Total Compensation</b>
<b>County</b> <sup>(1)</sup>	\$ 222,078	\$ 1,500,000
<b>State</b>	--	--
<b>Federal</b> <sup>(2)</sup>	272,082	1,776,990
<b>Other</b>	--	--
<b>Total</b>	<u>\$ 494,160</u> <sup>(3)</sup>	<u>\$ 3,276,990</u> <sup>(4)</sup>

(1) General Fund Operating Budget.

(2) U.S. Department of Housing and Urban Development (HUD) funds.

(3) Estimated compensation for the initial term (through June 30, 2022) for all contractors combined, which is \$55,002 less than the combined maximum compensation allowable under the contracts.

(4) Estimated compensation for the entire approximate 4-year and 11-month term, including the renewal and extension periods for all contractors combined. Compensation for each renewal period shall be negotiated between the County and the contractors and will be determined by the availability of grant funds.

### Analysis

The Department utilizes U.S. Department of Housing and Urban Development (HUD) and County funds to promote homeownership in designated community conservation areas of the County and to assist low- and moderate-income first-time homebuyers by providing educational, counseling, lending, legal, and settlement services. Under the proposed contracts, the following six HUD-certified counseling organizations will provide these services: Belair-Edison Neighborhoods, Inc.; Diversified Housing Development, Inc.; Dundalk Renaissance Corporation; Eastside Community Development Corporation; HARBEL Community Organization, Inc.; and St. Ambrose Housing Aid Center, Inc.

The contracts provide that during the initial term, 3,300 residents will receive homebuyer education, 90 residents will become first-time homebuyers, 150 residents will receive legal services, and 205 residents will receive foreclosure mitigation, as follows:

- Belair-Edison Neighborhoods, Inc. (initial term compensation not to exceed \$45,000) - expects to provide homebuyer education to 350 families, counsel prospective buyers individually, and settle approximately 10 loans.

- Diversified Housing Development, Inc. (initial term compensation not to exceed \$123,239)  
- expects to provide homebuyer education to 700 families, counsel prospective buyers individually, and settle approximately 25 loans. They will also provide post-purchase counseling to homeowners, assist 75 households to mitigate mortgage default, and coordinate 1 foreclosure outreach event in one of the assigned community service areas.
- Dundalk Renaissance Corporation (initial term compensation not to exceed \$50,000) - expects to provide homebuyer education to 350 families, counsel prospective buyers individually, and settle approximately 15 loans.
- Eastside Community Development Corporation (initial term compensation not to exceed \$90,919) - expects to provide homebuyer education to 700 families, counsel prospective buyers individually, and settle approximately 15 loans. They also will provide post-purchase counseling to homeowners, assist 50 households to mitigate mortgage default, and coordinate 1 foreclosure outreach event in one of the assigned community service areas.
- HARBEL Community Organization, Inc. (initial term compensation not to exceed \$120,002)  
- expects to provide homebuyer education to 700 families, counsel 300 prospective buyers individually, and settle approximately 15 loans.
- St. Ambrose Housing Aid Center, Inc. (initial term compensation not to exceed \$120,002)  
- expects to provide homebuyer education to 500 families, counsel prospective buyers individually, and settle approximately 10 loans. They also will provide post-purchase counseling to homeowners, assist 80 households to mitigate mortgage default, coordinate 1 foreclosure outreach event in one of the assigned community service areas, and provide legal services to 150 County residents who are homeowners and/or seniors.

Each contract commences upon Council approval, continues through June 30, 2022, and will renew automatically for four additional 1-year periods with the option to extend the initial term or any renewal term an additional 180 days on the same terms and conditions, unless the County provides notice of non-renewal. Compensation for all contractors combined may not exceed \$549,162 for the initial term; however, the Department advised that estimated compensation for all contractors combined during the initial term totals \$494,160. The contracts do not specify a maximum compensation for the entire contract term; rather, compensation for each renewal period shall be negotiated between the County and the contractor and will be determined by the availability of grant funds the County receives for these services. Estimated compensation totals \$3,276,990 for all contractors combined for the entire approximate 4-year and 11-month term, including the renewal and extension periods. The County may terminate the agreements by providing 30 days prior written notice.

The County awarded the contracts through a competitive procurement process based on the contractors' experience as HUD-certified counseling organizations; the Department advised that all organizations submitting proposals received contracts. According to the bid documents, there was not an M/WBE participation requirement.

On March 20, 2017, the Council approved five similar 4-year and 11-month contracts, which commenced October 26, 2016, with the following contractors: Belair-Edison Neighborhoods, Inc., Diversified Housing Development, Inc., Eastside Community Development Corp., HARBEL Community Organization, Inc., and St. Ambrose Housing Aid Center, Inc. The five contracts expired September 28, 2021. The County's financial system indicated that as of November 9, 2021, \$2,967,309 had been expended/encumbered under these contracts. The Department advised that in recent months, four of these contractors have utilized other funding sources (such as federal funding flowing directly to them rather than through the County) to provide services to County residents (including virtual educational workshops and one-on-one counseling sessions, legal assistance, and foreclosure mitigation via phone).

County Charter, Section 715, requires that "any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year...."

## **Executive Summary**

### **Housing Counseling Services Contracts**

Baltimore County requested services of HUD certified nonprofit Housing counseling organizations to promote home ownership in the Baltimore County designated community conservation areas, to assist low and moderate-income households to become first time homebuyers, provide pre and post purchase counseling, to mitigate mortgage default and foreclosure, and provide legal services to Baltimore County low income homeowners and seniors.

The County is awarding six (6) contracts to HUD certified organizations, with HUD certified counselors as required by HUD.

The six (6) organizations to be awarded contracts are: Belair –Edison Neighborhoods, Inc.(BENI), Diversified Housing Development , Inc.(DHD), Dundalk Renaissance Corporation(DRC) , Eastside Community Development Corporation(ECDC), Harbel Community Organization( Harbel) and St. Ambrose Housing Aid Center (SAHAC)

These services are supported with Baltimore County funds, Community Development Block Grant funds (CDBG) and HOME Investment Partnerships Program funds (HOME) from the United States Department of Housing and Urban Development.

Prepared by: Department of Housing and Community Development



FMs 7 &amp; 9 (2 contracts)

Council District(s) All


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**Department of Public Works and Transportation**


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**On-Call Potable Water Pipeline Design Services**


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The Administration is requesting approval of two contracts to provide on-call potable water pipeline design services for various projects throughout the Baltimore Metropolitan Water System. EBA Engineering, Inc. (FM-7) will provide services for “Tier 1” projects (projects that typically cost between \$50,000 and \$300,000), and KCI Technologies, Inc. (FM-9) will provide services for “Tier 2” projects (projects that typically exceed \$300,000). Each contract commences upon Council approval, continues for 4 years, and will renew automatically for two additional 2-year periods. Each contract provides that the agreement shall remain in effect until the earlier of the date upon which the required services are completed or the agreement is terminated. The contracts do not specify a maximum compensation for the initial 4-year term. Compensation may not exceed \$2 million for EBA Engineering, Inc. and \$4 million for KCI Technologies, Inc. (\$6 million combined) for the entire 8-year term, including the renewal periods. See Exhibit A.

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**Fiscal Summary**

<b>Funding Source</b>	<b>Maximum Compensation</b>		<b>Combined Maximum Compensation</b>
	<b>FM-7 EBA Engineering, Inc.</b>	<b>FM-9 KCI Technologies, Inc.</b>	
<b>County</b> <sup>(1)</sup>	\$ 2,000,000	\$ 4,000,000	\$ 6,000,000
<b>State</b>	--	--	--
<b>Federal</b>	--	--	--
<b>Other</b>	--	--	--
<b>Total</b>	<u>\$ 2,000,000</u>	<u>\$ 4,000,000</u>	<u>\$ 6,000,000</u> <sup>(2)</sup>

<sup>(1)</sup> Capital Projects Fund (Metropolitan District).

<sup>(2)</sup> Maximum compensation for both contractors combined for the entire 8-year term, including the renewal periods. The contracts do not specify a maximum compensation for the initial 4-year term.

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### Analysis

The contractors will provide on-call potable water pipeline design services throughout the Baltimore Metropolitan Water System. Services will include: pipeline design; trenchless construction design; permitting; environmental surveys and studies; preparation of soil erosion, sediment control, and reforestation landscape plans; and construction phase services. EBA Engineering, Inc. (FM-7) will provide services for “Tier 1” projects (projects that typically cost between \$50,000 and \$300,000), and KCI Technologies, Inc. (FM-9) will provide services for “Tier 2” projects (projects that typically exceed \$300,000).

Each contract commences upon Council approval, continues for 4 years, and will renew automatically for two additional 2-year periods, unless the County provides notice of non-renewal. Each contract provides that the agreement shall remain in effect until the earlier of the date upon which the required services are completed or the agreement is terminated. The contracts do not specify a maximum compensation for the initial 4-year term. Compensation may not exceed \$2 million for EBA Engineering, Inc. and \$4 million for KCI Technologies, Inc. (\$6 million combined) for the entire 8-year term, including the renewal periods.

Services will be performed at the engineers’ cost plus profit. Profit is limited to 10% of the combined total of direct labor costs plus overhead and payroll burden. Hourly rates and percentages for overhead, payroll burden, and profit must be within established County limits. Funding for the contracts will not be encumbered at this time. Rather, contract costs will be charged to specific projects as they are assigned. The County may terminate the agreements by providing 30 days prior written notice.

The contracts stipulate that should work be performed under the 2005 consent decree, the contractors shall be liable for payment of penalties charged to the County for failure by the contractors to meet or achieve deadlines or requirements. The damages payable are dependent upon the type of project and the length of delay in completing the project.

The Department advised that on July 28, 2021, the Professional Services Selection Committee (PSSC) selected the contractors from 16 (4 for “Tier 1” and 12 for “Tier 2” projects) submittals based on qualifications and experience. According to the bid documents, there was a 20% M/WBE participation requirement. On December 6, 2021, the Council approved two similar 8-year contracts (not to exceed \$4 million each) with The Wilson T. Ballard Company and Johnson, Mirmiran and Thompson, Inc. for “Tier 2” projects. On December 20, 2021, the Council approved a similar 8-year contract (not to exceed \$4 million) with Gannet Fleming, Inc. for “Tier 2” projects.

On January 3, 2022, the Council approved two similar contracts, one with C.C. Johnson & Malhotra, P.C. (not to exceed \$2 million) for “Tier 1” projects and one with Dewberry Engineers Inc. (not to exceed \$4 million) for “Tier 2” projects. The Department further advised that it intends to submit one additional contract for “Tier 2” services for an upcoming Council agenda. The Department also advised that tasks will be assigned to the contractors based on the size, type, and complexity of the work and the qualifications, skillsets, and staffing availability of the firms.

On August 6, 2012, the Council approved two 5-year contracts not to exceed \$2 million each with The Wilson T. Ballard Company and Michael Baker, Jr., Inc. (now Michael Baker International) for similar services. The contracts expired August 5, 2017. The County’s financial system indicated that as of December 13, 2021, a total of \$3,485,324 had been expended/encumbered under the two contracts: \$1,942,712 to The Wilson T. Ballard Company and \$1,542,612 to Michael Baker International. On May 2, 2016, the Council approved a 5-year contract not to exceed \$2 million with Rummel, Klepper & Kahl, LLP for similar services. The contract expired May 1, 2021. The County’s financial system indicated that as of December 13, 2021, \$1,994,101 had been expended/encumbered under the contract. The Department advised that it is requesting eight contracts due to the complexity of the water system and the extensive scope of design services that is required, and to address the backlog of work that exists. The Department further advised that the establishment of new contracts was delayed due to COVID.

The County’s financial system indicated that as of December 14, 2021, the County has one other contract with EBA Engineering, Inc. and 3 other contracts with KCI Technologies, Inc.

County Charter, Section 715, requires that “any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year....”

## Executive Summary

### On-Call Potable Water Pipeline Design Services Tier 1 and 2

#### Scope of Contract – Projects may include:

- Pipeline design for distribution mains 4" to 12" – including the development of documents, alignments, plans, specifications and estimates for various diameter pipelines.
- Pipeline design for transmission mains 16" to 36" - including the development of documents, alignments, plans, specifications and estimates for various diameter pipelines.
- Pipeline design in Maryland State Roads.
- Valves and Vaults – including sizing, placement, and structural design.
- Trenchless construction design including directional drill, jack and bore, tunneling and pipe bursting.
- Permitting – including local, state and federal permits.
- Environmental surveys and studies including wetland delineation, wetland mitigation, forest stand delineations and forest conservation plans.
- Development of pipeline repair options.
- Construction phase services – including but not limited to attending pre-bid meetings, attending pre-construction meetings, shop drawing submittal review, review of change order requests.
- Surveying.
- Preparation of right-of-way plats and metes and bounds descriptions.
- Preparation of soil erosion and sediment control plans.
- Preparation of reforestation landscape plans.
- Experience in the design of elevated water storage tanks according to AWWA specifications.
- Experience in the demolition and disposal of existing tanks covered with lead based paint.
- Geotechnical investigations – including pavement cores, soil borings and the preparation of reports.
- Utility Test Holes for locating existing utilities.
- Subsurface utility locating, designating and mapping.
- Provide data in a format fully compatible with ArcGIS and/or AutoCAD.
- Projects in the Baltimore Metropolitan Water System.

**Purpose** - Consultant services are needed for performing various types of design engineering tasks regarding the Baltimore Metropolitan Water system. Baltimore County's water, pumping, and transmission system serves approximately 141,000 acres of land comprised of residential, industrial, and commercial areas and includes over 2,266 miles of public water mains. Approximately one-half of these water mains are cast iron pipelines potentially in need of replacement.

**Contract Value** – KCI Technologies, Inc. - \$4,000,000 (Tier 2)  
EBA Engineering, Inc. - \$2,000,000 (Tier 1)

**Term** – Four (4) year initial term with two (2) automatic two (2) year extensions for a total of eight (8) years.

**Vendor Selection method** - Via PSSC meeting on July 28, 2021

Prepared by: Department of Public Works & Transportation

FM-8 (Contract)

Council District(s) All


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**Department of Public Works and Transportation**


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**Corrosion Control Design Services**


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The Administration is requesting approval of a contract with DACCO SCI, INC. to provide on-call corrosion control design services for water and sewer pipelines within the Baltimore Metropolitan Water System. The contract commences upon Council approval, continues for 4 years, and will renew automatically for two additional 2-year periods. The contract provides that the agreement shall remain in effect until the earlier of the date upon which the required services are completed or the agreement is terminated. The contract does not specify a maximum compensation for the initial 4-year term. Compensation may not exceed \$2,000,000 for the entire 8-year term, including the renewal periods. See Exhibit A.

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**Fiscal Summary**

<b>Funding Source</b>	<b>Maximum Compensation</b>	<b>Notes</b>
<b>County</b> <sup>(1)</sup>	\$ 2,000,000	<sup>(1)</sup> Capital Projects Fund (Metropolitan District). <sup>(2)</sup> Maximum compensation for the entire 8-year term, including the renewal periods. The contract does not specify a maximum compensation for the initial 4-year term.
<b>State</b>	--	
<b>Federal</b>	--	
<b>Other</b>	--	
<b>Total</b>	\$ 2,000,000 <sup>(2)</sup>	

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**Analysis**

The contractor will provide on-call corrosion control design services for water and sewer pipelines located in the Baltimore Metropolitan Water System. Services will include field testing and evaluation of soils to determine corrosion potential, stray current investigations in relationship to MTA/Light Rail facilities, electrical continuity measurements, evaluating the external condition of existing water mains, and other related services as needed.

The contract commences upon Council approval, continues for 4 years, and will renew automatically for two additional 2-year periods, unless the County provides notice of non-renewal. The contract provides that the agreement shall remain in effect until the earlier of the date upon which the required services are completed or the agreement is terminated. The contract does not specify a maximum compensation for the initial 4-year term. Compensation may not exceed \$2,000,000 for the entire 8-year term, including the renewal periods.

Services will be performed at the engineer's cost plus profit. Profit is limited to 10% of the combined total of direct labor costs plus overhead and payroll burden. Hourly rates and percentages for overhead, payroll burden, and profit must be within established County limits. Funding for the contract will not be encumbered at this time. Rather, contract costs will be charged to specific projects as they are assigned. The County may terminate the agreement by providing 30 days prior written notice.

The contract stipulates that should work be performed under the 2005 consent decree, the contractor shall be liable for payment of penalties charged to the County for failure by the contractor to meet or achieve deadlines or requirements. The damages payable are dependent upon the type of project and the length of delay in completing the project. The Department advised that it does not expect to utilize the contractor for consent decree projects.

The Department advised that on July 28, 2021, the Professional Services Selection Committee (PSSC) selected the contractor from 6 submittals based on qualifications and experience. According to the bid documents, there was a 20% M/WBE participation requirement. On December 20, 2021, the Council approved a similar 8-year contract not to exceed \$2,000,000 with Rummel, Klepper & Kahl, LLP. The Department advised that tasks will be assigned to the contractors based on the size, type, and complexity of the work and the qualifications, skillsets, and staffing availability of the firms.

On November 7, 2011, the Council approved two similar 5-year agreements with combined maximum compensation of \$1,000,000 (\$500,000 each) with Russell Corrosion Control Consultants, Inc. and DACCO SCI, INC. On March 16, 2015, the Council approved an amendment to the contract with DACCO SCI, INC., increasing the maximum compensation by \$500,000 to \$1,000,000 for the entire 5-year term. The contracts expired November 17, 2016. The County's financial system indicated that \$1,497,585 was expended under the contracts: \$999,547 for DACCO SCI, INC. and \$498,038 for Russell Corrosion Control Consultants, Inc. The Department advised that since the contracts expired in November 2016, no services have

been performed, and a backlog of work exists. The Department further advised that the establishment of new contracts was delayed due to COVID.

County Charter, Section 715, requires that “any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year....”

## **Executive Summary**

### **On-Call Corrosion Control Design Services**

**Vendor Name – DACCO SCI, Inc.**

#### **Scope of Contract – Projects may include:**

- Field-testing and evaluation of soils to determine their corrosion potential with regard to metallic pipelines – this will include soil surveys and laboratory analysis of soil samples.
- Stray current investigation in relationship with MTA/Light Rail facilities.
- Electrical continuity measurements and cell-to-cell potential surveys.
- Field-testing and reports to evaluate the external condition of existing water mains.
- Failure analysis to determine if the cause of failures for large diameter mains (16” and larger) were corrosion related.
- Design of cathodic protection systems for water mains using sacrificial anodes and test stations.
- Design of cathodic protection systems using bonded coatings and test stations.
- Post Construction testing of new cathodic protection systems to verify system is operating properly.
- Writing specifications that relate to cathodic protection systems.
- Creating cost estimates for bidding purposes.
- Coordination with Geotechnical firms to exchange soil samples.
- Identification and monitoring of existing corrosion control systems in a water distribution system.
- Construction inspection of cathodic protection systems and bonded coatings.

**Purpose -** Consultant services are needed for performing various types of work associated with corrosion control of metallic pipelines for work located in the Baltimore Metropolitan Water system. Baltimore County’s water, pumping and transmission system serves approximately 141,000 acres of land comprised of residential, industrial, and commercial areas and includes over 2,266 miles of public water mains. Approximately one half of these water mains are cast iron in need of replacement.

**Contract Value \$ -** \$2,000,000.00

**Term –** Four (4) year initial term with two (2) two (2) year extensions for a total of eight (8) years.

**Vendor Selection method -** Via PSSC meeting on July 28, 2021

Prepared by: Department of Public Works and Transportation



MB-2 (Res. 2-22)

Council District(s) 3


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 Mr. Jones (By Req.)
 

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 Department of Planning
 

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**Approve of County's Contribution –  
Purchase of Certain Development Rights Easements on Property**

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The Administration is requesting approval of the County's contribution toward the State's purchase of 8 development rights easements totaling approximately 551.3 acres through the Maryland Agricultural Land Preservation Foundation FY 2021 easement cycle. The request would provide \$1,319,554 of County matching funds to the State for the purchase of the easements. The combined purchase price of the easements totals \$3,993,215. The 8 properties are located within Agricultural Preservation Priority Areas. See Exhibit A.

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**Fiscal Summary**

<b>Funding Source</b>	<b>Combined Purchase Price</b>	<b>Notes</b>
<b>County</b> <sup>(1)</sup>	\$ 1,319,554	<sup>(1)</sup> Capital Projects Fund. <sup>(2)</sup> Maryland Agricultural Land Preservation Foundation. <sup>(3)</sup> Total of State-approved purchase prices.
<b>State</b> <sup>(2)</sup>	2,673,661	
<b>Federal</b>	--	
<b>Other</b>	--	
<b>Total</b>	<u>\$ 3,993,215</u> <sup>(3)</sup>	

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**Analysis**

On September 21, 2020 (Resolution 94-20), the Council approved 15 recommended easement applications to be submitted to the State for purchase consideration. The Department of Planning and the Baltimore County Agricultural Land Preservation Advisory Board ranked the 15 properties

based on an analysis of the benefits per acre (including soil analysis) and costs per acre. The Department advised that the State made easement purchase offers to 8 of the 15 property owners, of which all 8 accepted the offers. All 8 properties are located within designated Agricultural Preservation Priority Areas.

The Department advised that the easements are held by the Maryland Agricultural Land Preservation Foundation; the County and the Baltimore County Land Preservation Advisory Board review landowner requests for approved activities, and the County monitors compliance. The Foundation purchases the easements with the State and County funds. Agricultural Article §2-511 of the Annotated Code of Maryland establishes a maximum purchase price for the Foundation easements at 75% of the fair market value of the land.

Purchases of easements by the Maryland Agricultural Land Preservation Foundation may be made from the State's general allotment allocation, the State's matching allocation, and the reallocation of any remaining general allotment funds after allocations to all counties have been made. General allotment funds do not require a county contribution; matching fund purchases require a county to contribute at least 40% of the amount not funded by the general allotment fund. The Department advised that the 8 easement purchases will be funded with \$2,673,661 of State matching and general allotment funds and \$1,319,554 of County funds for a total cost of \$3,993,215. The County matching funds may be financed by General Funds (PAYGO) and General Obligation bonds.

All 8 easements to be purchased are located in the 3rd Councilmanic District. The related acreages and the County's share of the purchase prices are as follows:

Property Owner(s)	Easement Acres <sup>(1)</sup>	County Share of Easement Cost	Total Easement Cost <sup>(2)</sup>
Mistfield Farm, LLC	51.4600	\$ 0	\$ 386,074
Bohlayer, Morris & Sharon	79.5770	113,041	590,859
Two Cows Farm, LLC	95.4340	263,398	658,495
Uhler, Eula May	60.5510	191,341	478,353
Gracefields, LLC & Westwell, LLC	116.0350	324,898	812,245
Taymans School House Farms, LLC	79.4444	222,444	556,111
Johns, Beth and David	44.6475	125,013	312,533
Alexander, Bryan & Winkler, Joanna	24.1100	79,418	198,546
Total	<u>551.2589</u>	<u>\$1,319,554</u> *	<u>\$ 3,993,215</u> *

\*Total may not foot due to rounding.

- (1) Reflects acreage per Resolution 2-22, which may differ slightly from Resolution 94-20 due to minor acreage adjustments and/or acreage for which the landowner is not paid. Mistfield Farm, LLC is only being paid for 29.698 acres because 21.762 acres have been preserved by other restrictions. Gracefields, LLC & Westwell, LLC are formerly known as Millstone Farm, LLC. The acreage for Taymans School House Farms, LLC is 79.440 in the resolution as introduced; the Administration advised that it will submit an amendment to correct the acreage to 79.4444.
- (2) The total easement cost for Beth and David Johns' property is \$556,110.80 in the resolution as introduced; the Administration advised that it will submit an amendment to correct the total cost to \$312,533.

Approval of these purchases will add approximately 551.3 acres to the 25,100 acres of farmland preserved through the Maryland Agricultural Land Preservation Foundation in Baltimore County. The Department advised that the total acreage in the County preserved through all preservation programs as of October 2021 is 68,118; the County's goal is 80,000 acres.

The Annotated Code of Maryland, Agriculture Article (Title 2, Subtitle 5), and the Baltimore County Code, Article 24, Land Preservation (Titles 2 and 3) require Council approval of development rights easements to be purchased by the Maryland Agricultural Land Preservation Foundation.

**BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF PLANNING**

**Stephen Lafferty, Director  
Executive Summary  
DATE: November 17, 2021**

This resolution is to approve the County's contribution towards the purchase of eight agricultural easements through the Maryland Agricultural Land Preservation Foundation FY 21 easement cycle.

The Department of Planning requests the County Council approve \$1,319,553.55 in Matching Funds for the purchase of eight (8) agricultural easements on 551 acres. The total cost of the easements is \$3,993,214.88 with State funds making up the difference.

County Council Resolution 94-20 (September 21, 2020) approved and ranked fifteen (15) applications to sell an easement to the Maryland Agricultural Land Preservation Foundation. Appraisals were conducted and offers were extended based upon state funding, County's commitment of funds, and priority order set by County Council Resolution 94-20. The farm acreage indicated on this Resolution for easement offers may differ from that on Resolution 94-20 because of minor acreage adjustments and/or acreage for which the landowner is not paid such as the acre around an existing dwelling.

The Maryland Agricultural Land Preservation Foundation Easement Program is an integral part of the County's preservation strategy with its emphasis on protecting highly productive farmland to foster the farming industry in the State. The County's land preservation goal is at least 80,000 acres. As of October 2021, the total acreage of preserved land in the County through all programs is 68,118 acres.

All eight of these farms are outside the URDL, within Tier 4 areas, and within the 2020 Master Plan delineated Agricultural Priority Preservation Areas. A map indicating the location of the eight proposed easements is attached and a brief description of each property is provided below:

Name: Mistfield Farm, LLC (Brian Flowers)

Address: 15324 Falls Road, Butler, MD 21023 (Map 33, Parcel 9; Map 34, Parcel 353)

Farm Acreage: 51.46 (NOTE: Grantors will only be paid upon 29.698 acres because 21.762 acres have already been preserved by other restrictions)

County Council District: 3rd

Farm Ownership/Operation: Leased, hay

Name: Bohlayer, Morris L. & Sharon A.  
Address: 920 Freeland Road, Freeland, MD 21053 (Map 3, Parcel 42)  
Farm Acreage: 79.5770  
County Council District: 3rd  
Farm Ownership/Operation: Leased, grain (corn/soy) rotation

Name: Two Cows Farm, LLC  
Address: 14104 Old Hanover Road, Reisterstown, MD 21136 (Map 39, Parcel 65)  
Farm Acreage: 95.434  
County Council District: 3rd  
Farm Ownership/Operation: Leased, row crops

Name: Uhler, Eula May  
Address: Mt. Gilead Road, Reisterstown, MD 21136 (Map 31, Parcel 66)  
Farm Acreage: 60.551  
County Council District: 3rd  
Farm Ownership/Operation: Leased, row crops

Name: Gracefields, LLC & Westwell, LLC (formerly referenced as Millstone Farm, LLC)  
Address: 13401 Longnecker Road, Glyndon, MD 21071 (Map 40, Parcel 124 and p/o Parcel 36)  
Farm Acreage: 116.0350  
County Council District: 3rd  
Farm Ownership/Operation: Leased, crops, horses

Name: Taymans School House Farms, LLC.  
Address: 19112 Falls Road, Upperco, MD 21074 (Map 10, Parcel 77 & 78)  
Farm Acreage: 79.4444  
County Council District: 3rd  
Farm Ownership/Operation: Leased, row crops

Name: Johns, David & Beth  
Address: 4515 Church Road, Hampstead, MD 21074 (Map 10, Parcel 63)  
Farm Acreage: 44.6475  
County Council District: 3rd  
Farm Ownership/Operation: Partially Leased and partially Owner Operated, hay, beef

Name: Alexander, Bryan and Joanna Winkler  
Address: 4124 Black Rock Rd, Upperco, MD 21136 (Map 20, Parcel 101)  
Farm Acreage: 24.11  
County Council District: 3rd  
Farm Ownership/Operation: Owner operated, organic vegetables and specialty grains

Prepared by: Department of Planning

BALTIMORE COUNTY COUNCIL  
NOTES TO THE AGENDA  
APPENDIX A

**BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE**

MB-1(a)

**TO:** Administrative Officer

**DATE:** 12/6/21

**FROM:** Edward P. Blades, Director  
Office of Budget & Finance

**COUNCIL MEETING  
DATE:** 1/18/22

**SUBJECT:** Public Recordation of Announcement  
of Non-Competitive Awards Charter Sec. 902(f)

Whenever a contract over \$25,000 is awarded by a process other than a formal competitive bid, a copy of the contract must be given to the County Council, and at the next legislative session-day following the award of the contract, the Secretary to the County Council shall formally announce to the Council the nature of the contract and the parties to the contract. The announcement shall be recorded in the minutes of the County Council, and shall be available for inspection by the public. In compliance with this procedure, information is attached concerning the following awards, which are to be forwarded to the County Council:

Award Document

**PO 15906** Realtox Labs LLC dba Real Diagnostics – Testing Services, COVID-19

This order is for the purchase of COVID-19 testing services through Realtox Labs, LLC. As detailed in the Emergency Justification Memo, signed by Edward Blades, in response to the COVID-19 pandemic, Baltimore County has begun taking necessary action throughout all County agencies to combat the pandemic, which includes the emergency purchase of goods and services. The testing services provided by Realtox Labs, LLC were used to test COVID-19 samples collected at Liberty, Dundalk and Lansdowne testing sites, between March 3, 2021 and May 31, 2021. A reconciled, finalized invoice was presented by Realtox Labs for these services on August 2, 2021.

Award Total: \$ 201,810.00  
Award Date: 12/6/21

**PO 16044** Baltimore Gas & Electric Co dba BGE – 21067 SX0 20 Dogwood Dr. Bldg. 530, Stansbury Manor SPS, BGE

This Purchase Order is for the installation/upgrade of gas and electric equipment on 20 Dogwood Drive, Building 530 performed by BGE since the distribution facilities for this request are the property of BGE. Baltimore County received and reviewed the September 20, 2021 cost estimate from BGE for the amount indicated below.

This Purchase Order 16044 in the amount of \$43,930.00 has been referenced with BGE Project No. 17134790, and Baltimore County DPW Contract No. 21067 SX0 and Job Order No. 231-201-0090-9025.

Award Total: \$ 43,930.00  
Award Date: 12/16/21

**PO 16011** Clear Channel Outdoor, Inc. – Billboard Advertising, SWM marketing campaign, FY22

This purchase order is for the purchase of advertising for Solid Waste. As detailed in the Sole Source Justification Memo, signed by D'Andrea Walker, Clear Channel Outdoor is the only company that provides billboard advertising in Baltimore County. These billboard ads are being used to inform the public about new Solid Waste measures for trash removal.

Award Total: \$ 38,000.00  
Award Date: 12/16/21

MA 4786

Comcast Holdings Corporation dba Comcast Cable Communications Management, LLC – Comcast Essentials, Pre-Paid Voucher Program

The Office of Information Technology has recommended the County continue Sponsorship of residential households that are currently enrolled in the Comcast Internet Essentials plan. A Decision Memo approving the program was signed by County Executive Olszewski on 10/13/2020.

One of the impacts the COVID-19 health crisis has been the need for reliable internet access to ensure households have the ability to conduct virtual learning, to work remotely from home, be able to access social services, and to be able to utilize telemedicine for at-risk individuals. All citizens should not be impacted by serviceability or affordability gaps and should have equitable access to broadband to meet their critical needs. This program helps to reduce affordability gap for low-income households.

The original expenditure for this program was \$716,000.00 under MA 4474 and covered expenditures through June 2021.

This Agreement covers the continued purchase of pre-paid vouchers for Comcast's Internet Essentials service for the original 9600 households and will expand to an additional (approximately) 5600 eligible households currently receiving Internet Essentials service.

This program aids in creating countywide equity for all households regardless of economic stature or location.

Estimated Award Total: \$1,386,012.00

Award Date: 12/17/21

cc: J. Benjamin Jr.,  
T. Bostwick  
L. Smelkinson